

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-00531-CRC**

BAGWELL v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 04/08/2015
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

RYAN BAGWELL

represented by **RYAN BAGWELL**
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Melrose, MA 02176
(608) 466-6195
Email: ryan@ryanbagwell.com
PRO SE

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Rhonda Lisa Campbell**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/08/2015	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400, receipt number 4616069432) filed by RYAN BAGWELL. (Attachments: # <u>1</u> Civil Cover Sheet)(td,) (Entered: 04/13/2015)
04/08/2015		SUMMONS (3) Issued as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (td,) (Entered: 04/13/2015)
04/08/2015	<u>2</u>	MOTION for CM/ECF Password by RYAN BAGWELL (td,) (Entered: 04/13/2015)
04/14/2015		MINUTE ORDER granting <u>2</u> Motion for CM/ECF Password. Signed by Judge Christopher R. Cooper on 4/14/2015. (tcr) (Entered: 04/14/2015)
04/27/2015	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/27/15., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/27/2015. (Answer due for ALL FEDERAL DEFENDANTS by 5/27/2015.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 4/27/2015 (BAGWELL, RYAN) (Entered: 04/27/2015)
05/15/2015	<u>4</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 05/15/2015)
05/26/2015	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 05/26/2015)

05/29/2015		MINUTE ORDER granting <u>5</u> Motion for Extension of Time to Answer. Defendant shall answer or otherwise respond to the complaint on or before June 28, 2015. Signed by Judge Christopher R. Cooper on 5/29/2015. (lccrc1,) (Entered: 05/29/2015)
06/29/2015	<u>6</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Campbell, Rhonda) (Entered: 06/29/2015)
06/30/2015		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall promptly confer and file a joint proposed schedule for briefing or disclosure by July 14, 2015. Signed by Judge Christopher R. Cooper on 6/30/2015. (lccrc1,) (Entered: 06/30/2015)
07/13/2015	<u>7</u>	Joint MOTION for Briefing Schedule by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 07/13/2015)
07/15/2015		MINUTE ORDER granting <u>7</u> Joint MOTION for Briefing Schedule; Defendant shall file its motion for summary judgment on or before August 28, 2015. Plaintiff shall file his opposition/cross motion for summary judgment on or before October 13, 2015. Defendant shall file its opposition/reply brief on or before November 13, 2015. Plaintiff shall file his reply brief on or before December 13, 2015. Signed by Judge Christopher R. Cooper on 7/15/2015. (tcr) (Entered: 07/15/2015)
07/25/2015	<u>8</u>	NOTICE of Change of Address by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 07/25/2015)
08/13/2015	<u>9</u>	MOTION to Compel <i>Creation of a Vaughn Index</i> by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 08/13/2015)
08/14/2015	<u>10</u>	NOTICE to the Court by U.S. DEPARTMENT OF JUSTICE re <u>9</u> MOTION to Compel <i>Creation of a Vaughn Index</i> (Campbell, Rhonda) (Entered: 08/14/2015)
08/16/2015	<u>11</u>	REPLY to opposition to motion re <u>9</u> MOTION to Compel <i>Creation of a Vaughn Index</i> filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 08/16/2015)
08/17/2015		MINUTE ORDER: Plaintiff's <u>9</u> motion to compel the Department of Justice to produce a Vaughn index within ten days is hereby DENIED as premature.. Signed by Judge Christopher R. Cooper on 8/17/2015. (tcr) (Entered: 08/17/2015)
08/28/2015	<u>12</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration Jodi Matuszwsksi, # <u>4</u> Declaration Princina Stone, # <u>5</u> Exhibit Vaughn Index (Exhibit No. 1))(Campbell, Rhonda) (Entered: 08/28/2015)
10/13/2015	<u>13</u>	Cross MOTION for Partial Summary Judgment and Response in Opposition to Def.'s Motion for Summary Judgment by RYAN BAGWELL (Attachments: # <u>1</u> Memorandum in Support Plaintiff's Memorandum in Opposition to Def. Motion for Summary Judgment and in support of Plaintiff's Cross-motion for Partial Summary Judgment, # <u>2</u> Statement of Facts Plaintiff's Statement of Disputed Facts, # <u>3</u> Text of Proposed Order Plaintiff's Proposed Order, # <u>4</u> Exhibit Ex. A, # <u>5</u> Exhibit Ex. B, # <u>6</u> Exhibit Ex. C – USAO Subpoena, # <u>7</u> Exhibit Ex. D, # <u>8</u> Exhibit Ex. E – Remarks of Louis J. Freeh, # <u>9</u> Exhibit Ex. F – Request Letter, # <u>10</u> Exhibit Ex. G – Denial Letter, # <u>11</u> Exhibit Ex. H – Administrative Appeal Determination, # <u>12</u> Exhibit Ex. I – Declaration of Ryan Bagwell, # <u>13</u> Exhibit Ex. J – Partial Denial Letter)(BAGWELL, RYAN) (Entered: 10/13/2015)
10/13/2015	<u>14</u>	Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by RYAN BAGWELL; (See docket entry no. <u>13</u> to view document) (td) (Entered: 10/14/2015)
10/23/2015	<u>15</u>	REPLY to opposition to motion re <u>12</u> Cross MOTION for Partial Summary Judgment and Response in Opposition to Def.'s Motion for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) Modified to add correct linkage on 10/26/2015 (td). (Entered: 10/23/2015)
10/26/2015	<u>16</u>	REPLY re <u>15</u> Reply to opposition to Motion for Summary Judgment filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 10/26/2015)
12/03/2015		MINUTE ORDER: It is hereby ORDERED that a telephonic motions hearing is set for Thursday, December 17, 2015 at 10:00 AM in Chambers before Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 12/3/2015. (tcr) (Entered:

		12/03/2015)
12/17/2015		Minute Entry for proceedings held before Judge Christopher R. Cooper: Motion Hearing held on 12/17/2015 re Plaintiff's <u>13</u> Cross MOTION for Partial Summary Judgment, Defendant's <u>12</u> MOTION for Summary Judgment; Argument heard and this matter is taken under advisement (Court Reporter Lisa Moreira) (tcr) (Entered: 12/17/2015)
12/18/2015	<u>17</u>	MEMORANDUM OPINION AND ORDER re <u>12</u> Defendant's Motion for Summary Judgment and <u>13</u> Plaintiff's Cross-Motion for Partial Summary Judgment. Signed by Judge Christopher R. Cooper on 12/18/2015. (lccrc3) (Entered: 12/18/2015)
01/29/2016	<u>18</u>	MOTION to Continue <i>Proceedings and Status Report</i> by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 01/29/2016)
02/03/2016		MINUTE ORDER: A Telephonic Status Conference is set for Thursday, February 11, 2016 at 2:30 PM in chambers of Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 2/3/2016. (tcr) (Entered: 02/03/2016)
02/03/2016		Set/Reset Hearings: Telephone Conference set for 2/11/2016 at 2:30 PM in Chambers before Judge Christopher R. Cooper. (tcr) (Entered: 02/03/2016)
02/11/2016		MINUTE ORDER granting in part <u>18</u> Defendant's Motion to Continue: It is hereby ORDERED that, no later than February 29, 2016, Defendant file a status report advising the Court of the progress of Defendant's search and review as well as the result of any conferral with Plaintiff. It is FURTHER ORDERED that, no later than February 29, 2016, Defendant submit a revised Vaughn Index as to the withholding of the 104 pages of records discussed in <u>12</u> , <u>13</u> the parties' motions for summary judgment, following the standard described in <u>17</u> the Court's Memorandum Opinion and Order. Signed by Judge Christopher R. Cooper on 2/11/16. (lccrc3) (Entered: 02/11/2016)
02/11/2016		Minute Entry for proceedings held before Judge Christopher R. Cooper: Telephonic Status Conference held and concluded on 2/11/2016. Court to issue order accordingly. (Court Reporter Lisa Moreira) (tcr) (Entered: 02/12/2016)
02/29/2016	<u>19</u>	MOTION to Stay re Order on Motion to Continue,, by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit No. 1 (Supplemental Vaughn Index))(Campbell, Rhonda) (Entered: 02/29/2016)
03/01/2016	<u>20</u>	NOTICE of Change of Address by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 03/01/2016)
03/03/2016	<u>21</u>	ORDER granting in part and denying without prejudice in part <u>12</u> Defendant's Motion for Summary Judgment; denying <u>13</u> Plaintiff's Motion for Partial Summary Judgment; denying <u>19</u> Defendant's Motion to Stay; and setting a schedule for further proceedings. Signed by Judge Christopher R. Cooper on 3/3/2016. (lccrc3) (Entered: 03/03/2016)
03/08/2016	<u>22</u>	MOTION for Reconsideration re <u>21</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment, Order on Motion to Stay,,, <i>and Response to Defendant's Status Report</i> by RYAN BAGWELL (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(BAGWELL, RYAN) (Entered: 03/08/2016)
03/08/2016	<u>23</u>	RESPONSE defendant's Status Report re <u>19</u> MOTION to Stay re Order on Motion to Continue,, filed by RYAN BAGWELL; (See docket Entry No. <u>22</u> to view document.) (td) (Entered: 03/08/2016)
03/31/2016	<u>24</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 03/31/2016)
03/31/2016	<u>25</u>	Supplemental STATUS REPORT by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 03/31/2016)
04/01/2016	<u>26</u>	ORDER denying <u>22</u> Plaintiff's Motion for Reconsideration. Signed by Judge Christopher R. Cooper on 4/1/2016. (lccrc3) (Entered: 04/01/2016)
05/31/2016	<u>27</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 05/31/2016)

05/31/2016	<u>28</u>	First MOTION for Leave to File <i>Supplemental Pleading</i> by RYAN BAGWELL (Attachments: # <u>1</u> Exhibit A – fee–waiver request, # <u>2</u> Exhibit B – EOUSA fee–demand letter, # <u>3</u> Exhibit C – first administrative appeal, # <u>4</u> Exhibit D – EOUSA denial of first fee–waiver request, # <u>5</u> Exhibit E – OIP response to first administrative appeal, # <u>6</u> Exhibit F – second fee–waiver request, # <u>7</u> Exhibit G – second fee–waiver denial, # <u>8</u> Exhibit H – second fee–waiver appeal)(BAGWELL, RYAN) (Entered: 05/31/2016)
06/16/2016	<u>29</u>	MOTION for Extension of Time to File Response/Reply as to <u>28</u> First MOTION for Leave to File <i>Supplemental Pleading</i> by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 06/16/2016)
06/16/2016	<u>30</u>	RESPONSE re <u>29</u> MOTION for Extension of Time to File Response/Reply as to <u>28</u> First MOTION for Leave to File <i>Supplemental Pleading</i> filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 06/16/2016)
06/17/2016		MINUTE ORDER granting <u>29</u> Defendant's Motion for Extension of Time to File Response/Reply: It is hereby ORDERED that Defendant file any response to <u>28</u> Plaintiff's Motion for Leave to File no later than June 22, 2016. Signed by Judge Christopher R. Cooper on 6/17/2016. (lccrc3) (Entered: 06/17/2016)
06/17/2016		Set/Reset Deadlines: Defendant to file any response to <u>28</u> Plaintiff's Motion for Leave to File no later than 6/22/2016. (kt) (Entered: 06/17/2016)
06/21/2016	<u>31</u>	MOTION for Order <i>holding Defendant in Contempt of Court</i> by RYAN BAGWELL (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(BAGWELL, RYAN) (Entered: 06/21/2016)
06/22/2016	<u>32</u>	RESPONSE re <u>28</u> First MOTION for Leave to File <i>Supplemental Pleading</i> filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Campbell, Rhonda) (Entered: 06/22/2016)
06/24/2016	<u>33</u>	REPLY to opposition to motion re <u>28</u> First MOTION for Leave to File <i>Supplemental Pleading with exhibit</i> filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 06/24/2016)
08/01/2016	<u>34</u>	Joint STATUS REPORT by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 08/01/2016)
09/20/2016	<u>35</u>	MOTION for Hearing (<i>telephonic status conference</i>) by RYAN BAGWELL (Attachments: # <u>1</u> Exhibit A (Fee Demand Letter))(BAGWELL, RYAN) (Entered: 09/20/2016)
09/23/2016		MINUTE ORDER granting <u>35</u> Motion for Hearing: A Hearing on all outstanding Motions is hereby set for October 6, 2016 at 2:00 PM in Courtroom 27A. Plaintiff may appear via telephone. Signed by Judge Christopher R. Cooper on 9/23/2016. (lccrc1) (Entered: 09/23/2016)
09/23/2016		Set/Reset Hearings: Motions Hearing set for 10/6/2016 at 2:00 PM in Courtroom 27A before Judge Christopher R. Cooper. (zlsj) (Entered: 09/26/2016)
10/06/2016		MINUTE ORDER: Hearing held on pending motions before Judge Christopher R. Cooper on October 6, 2016. Plaintiff's Motion <u>28</u> for Leave to File Supplemental Pleading taken under advisement. Defendant is hereby ORDERED to file a Notice no later than October 13, 2016 indicating whether Defendant still intends to charge Plaintiff fees to process his request. Plaintiff's Motion <u>31</u> for Order Holding Defendant in Contempt of Court is hereby DENIED. Court Reporter Lisa Moreira. (zlsj) (Entered: 10/06/2016)
10/13/2016	<u>36</u>	NOTICE to the Court by U.S. DEPARTMENT OF JUSTICE re Order on Motion for Leave to File, Order on Motion for Order, Motion Hearing, Set Deadlines,,, (Campbell, Rhonda) (Entered: 10/13/2016)
10/14/2016	<u>37</u>	NOTICE of response to Defendant's Notice of Oct. 13, 2016 by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 10/14/2016)
10/19/2016		MINUTE ORDER denying as moot <u>28</u> Motion for Leave to File: In light of <u>36</u> Defendant's Notice that it will grant Plaintiff's request for a fee waiver, Plaintiff's Motion for Leave to File Supplemental Pleadings is hereby DENIED AS MOOT

		without prejudice. In the event that the Defendant seeks to assess duplication fees, Mr. Bagwell may renew his motion. It is further ORDERED that the parties shall confer and file a joint proposed production schedule, including any objections and counter-proposals, no later than October 26, 2016. Signed by Judge Christopher R. Cooper on 10/19/2016. (lccrc1) (Entered: 10/19/2016)
10/19/2016		Set/Reset Deadlines: Joint Proposed Discovery due by 10/26/2016. (zlsj) (Entered: 10/19/2016)
10/26/2016	<u>38</u>	Joint STATUS REPORT <i>proposing a production schedule</i> by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 10/26/2016)
10/27/2016		MINUTE ORDER: In light of the parties' <u>38</u> Joint Status Report, it is hereby ORDERED that Defendant complete the production of all responsive, non-exempt records no later than May 1, 2017, absent leave of the Court. Defendant shall produce records on a monthly, rolling basis, beginning November 30, 2016. It is further ORDERED that the parties jointly file a further status report every 60 days, beginning December 30, 2016. It is further ORDERED that Defendant locate, review, and produce all responsive, non-exempt emails between Defendant and employees of Freeh, Sporkin & Sullivan, identified by e-mail addresses that contain "freehgroup.com," no later than November 30, 2016, unless good cause is shown why that production schedule is not feasible. The parties are encouraged to work together to narrow the scope of the review to the extent possible. SO ORDERED. Signed by Judge Christopher R. Cooper on 10/27/2016. (lccrc1) (Entered: 10/27/2016)
10/27/2016		Set/Reset Deadlines: Initial Disclosure due by 11/30/2016. Simplification of Issues due by 11/30/2016. Status Report due by 3/1/2017 Discovery due by 5/1/2017. (zlsj) (Entered: 10/27/2016)
12/30/2016	<u>39</u>	STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 12/30/2016)
03/28/2017	<u>40</u>	Unopposed MOTION for Extension of Time to <i>File Joint Report</i> by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 03/28/2017)
03/30/2017		MINUTE ORDER granting <u>40</u> Motion for Extension of Time: The parties shall file a joint status report no later than April 4, 2017. However, the parties are advised that, in accordance with the Court's October 27, 2016 Minute Order, joint status reports were to be filed every sixty days, beginning December 30, 2016. Accordingly, the previous deadline for the second status report was February 28, 2017, not March 31, 2017 as indicated in the Government's motion. Furthermore, as previously ordered, Defendant shall complete the production of all responsive, non-exempt records no later than May 1, 2017, and a third joint status report should also be filed on that date. Signed by Judge Christopher R. Cooper on 3/30/2017. (lccrc1) (Entered: 03/30/2017)
03/30/2017		Set/Reset Deadlines: Status Report due by 4/4/2017. Third Status Report due by 5/1/2017. (mac) (Entered: 03/30/2017)
03/30/2017		Set/Reset Deadlines: Joint Status Report due by 4/4/2017. Defendant shall complete the production of all responsive, non-exempt records no later than 5/1/2017, and a third Joint Status Report should also be filed on that date. (nbn) (Entered: 03/30/2017)
04/04/2017	<u>41</u>	Joint STATUS REPORT by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 04/04/2017)
05/01/2017	<u>42</u>	Joint STATUS REPORT by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 05/01/2017)
05/02/2017	<u>43</u>	NOTICE <i>to the Court</i> by U.S. DEPARTMENT OF JUSTICE re <u>42</u> Status Report (Campbell, Rhonda) (Entered: 05/02/2017)
05/02/2017	<u>44</u>	MOTION for Briefing Schedule by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 05/02/2017)
05/02/2017	<u>45</u>	RESPONSE re <u>44</u> MOTION for Briefing Schedule filed by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 05/02/2017)

05/15/2017		VACATED PURSUANT TO ORDER FILED 7/19/2017.....MINUTE ORDER: It is hereby ORDERED that this case shall proceed according to the following schedule: Defendant shall submit a Declaration and Vaughn Index no later than June 30, 2017; Defendant shall file any motion for summary judgment no later than July 17, 2017; Plaintiff shall file any opposition or cross-motion for summary judgment no later than September 1, 2017; Defendant shall file a reply no later than October 1, 2017; Plaintiff shall file a reply no later than November 1, 2017. Signed by Judge Christopher R. Cooper on 5/15/2017. (lccrc1) Modified on 7/20/2017 (znmw). (Entered: 05/15/2017)
05/16/2017		Set/Reset Deadlines: Declaration and Vaughn Index due by 6/30/2017. Summary Judgment motions due by 7/17/2017. Response to Motion for Summary Judgment due by 9/1/2017. Reply to Motion for Summary Judgment due by 10/1/2017. Plaintiff's Replies due by 11/1/2017. (lsj) (Entered: 05/16/2017)
06/16/2017	<u>46</u>	MOTION to Stay re Order on Motion for Briefing Schedule,, by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration D. Brian Simpson, # <u>2</u> Declaration Princina Stone)(Campbell, Rhonda) (Entered: 06/16/2017)
06/22/2017	<u>47</u>	RESPONSE re <u>46</u> MOTION to Stay re Order on Motion for Briefing Schedule,, and <i>Cross Motion for a Modified Briefing Schedule</i> filed by RYAN BAGWELL. (Attachments: # <u>1</u> Exhibit A)(BAGWELL, RYAN) (Entered: 06/22/2017)
06/22/2017	48	Cross MOTION for Modified Briefing Schedule by RYAN BAGWELL (td); (See docket entry no. <u>47</u> to view.) (Entered: 06/23/2017)
06/28/2017	<u>49</u>	MOTION for Extension of Time to <i>File Defendants' Reply to Plaintiff's Response in Opposition to Defendants' Motion for Extension of Time and Cross Motion for a Modified Briefing Schedule</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Rhonda) (Entered: 06/28/2017)
07/06/2017		MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a telephonic status conference, regarding Defendant's <u>46</u> Motion to Stay and Plaintiff's 48 Cross-Motion for Modified Briefing Schedule, on July 17, 2017, at 10:00 AM. The Courtroom Deputy will be in touch with call-in information. Signed by Judge Christopher R. Cooper on 7/6/2017. (lccrc1) (Entered: 07/06/2017)
07/07/2017		Set/Reset Hearings: Telephone Conference set for 7/17/2017 at 10:00 AM in Chambers before Judge Christopher R. Cooper. (lsj) (Entered: 07/07/2017)
07/14/2017		MINUTE ORDER: The telephonic status conference currently scheduled for July 17, 2017, at 10:00 AM is hereby VACATED. Signed by Judge Christopher R. Cooper on 7/14/2017. (lccrc1) (Entered: 07/14/2017)
07/17/2017		Set/Reset Hearings: Telephone Conference set for re Defendant's <u>46</u> Motion to Stay and Plaintiff's 48 Cross-Motion for Modified Briefing Schedule on 7/18/2017 at 10:00 AM in Courtroom 27A before Judge Christopher R. Cooper. (lsj) (Entered: 07/17/2017)
07/18/2017		Minute Entry for Telephone Conference held before Judge Christopher R. Cooper on 7/18/2017. Forthcoming Order. Court Reporter Lisa Moreira. (lsj) (Entered: 07/18/2017)
07/19/2017	<u>50</u>	ORDER: It is hereby ORDERED that the current briefing schedule in this case is VACATED, and that the case shall proceed according to the schedule set out in the accompanying Order. It is further ORDERED that Plaintiff and Defendant are to meet and confer, and to file either joint or separate proposed schedules for the processing no later than August 1, 2017. SEE ORDER FOR DETAILS. Signed by Judge Christopher R. Cooper on 7/19/2017. (lccrc1) (Entered: 07/19/2017)
07/31/2017	<u>51</u>	Joint MOTION for Extension of Time to <i>File Proposed Production Schedules</i> by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 07/31/2017)
08/02/2017		MINUTE ORDER granting <u>51</u> Motion for Extension of Time: It is hereby ORDERED that the parties shall file either joint or separate proposed schedules for processing no later than August 15, 2017. Signed by Judge Christopher R. Cooper on 8/2/2017. (lccrc1) (Entered: 08/02/2017)

08/02/2017		Set/Reset Deadlines: Proposed Processing Schedule due by 8/15/2017 (lsj) (Entered: 08/02/2017)
08/15/2017	<u>52</u>	Joint MOTION for Extension of Time to File <i>Proposed Production Schedule</i> by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 08/15/2017)
08/15/2017	<u>53</u>	MOTION for Leave to File <i>Under Seal</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Rhonda) (Entered: 08/15/2017)
08/15/2017	<u>54</u>	NOTICE <i>to the Court</i> by U.S. DEPARTMENT OF JUSTICE re <u>50</u> Order on Motion to Stay,, Order on Motion to Modify,, Order on Motion for Extension of Time to, (Attachments: # <u>1</u> Declaration B.Simpson (Supplemental), # <u>2</u> Exhibit 2 Letter from PA Office of Attorney General, # <u>3</u> Exhibit USAO-EDPA Vaughn Index, # <u>4</u> Declaration Stone (Supplemental), # <u>5</u> Exhibit EOUSA Vaughn Index)(Campbell, Rhonda) (Entered: 08/15/2017)
08/15/2017	<u>55</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by U.S. DEPARTMENT OF JUSTICE (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit 3, # <u>2</u> Exhibit 4, # <u>3</u> Exhibit 5, # <u>4</u> Text of Proposed Order)(Campbell, Rhonda) (Entered: 08/15/2017)
08/15/2017		MINUTE ORDER granting <u>53</u> Defendant's Motion to File Under Seal. Signed by Judge Christopher R. Cooper on 8/15/2017. (lccrc1) (Entered: 08/15/2017)
08/15/2017		MINUTE ORDER granting <u>52</u> Joint Motion for Extension of Time to File Proposed Production Schedules. The proposed schedules are due on or before September 1, 2017. Signed by Judge Christopher R. Cooper on 8/15/2017. (lccrc1) (Entered: 08/15/2017)
08/24/2017	<u>56</u>	RESPONSE re <u>55</u> SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by U.S. DEPARTMENT OF JUSTICE (This document is SEALED and only available to authorized persons.) filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 08/24/2017)
08/29/2017	<u>57</u>	MOTION for Summary Judgment <i>Renewed</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support)(Campbell, Rhonda) (Entered: 08/29/2017)
09/05/2017	<u>58</u>	STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 09/05/2017)
09/25/2017	<u>60</u>	Unopposed MOTION for Extension of Time to <i>File Opposition and Cross-Motion for Summary Judgment</i> by RYAN BAGWELL (BAGWELL, RYAN) (Entered: 09/25/2017)
10/04/2017		MINUTE ORDER granting <u>60</u> Motion for Extension of Time to File Opposition. It is ORDERED that Plaintiff's Opposition or Cross-Motion for Summary Judgment is due on or before October 26, 2017. Defendants reply in support is due on or before November 17, 2017. Plaintiffs reply in support of any cross-motion is due on or before December 7, 2017. Signed by Judge Christopher R. Cooper on 10/4/2017. (lccrc1) (Entered: 10/04/2017)
10/04/2017		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 10/26/2017. Reply to Motion for Summary Judgment due by 11/17/2017. Plaintiff's Replies in Support due by 12/7/2017. (lsj) (Entered: 10/04/2017)
10/26/2017	<u>61</u>	Cross MOTION for Summary Judgment by RYAN BAGWELL (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M (Annotated Vaughn Index), # <u>15</u> Exhibit N)(BAGWELL, RYAN) (Entered: 10/26/2017)
10/26/2017	<u>62</u>	Memorandum in opposition to re <u>57</u> MOTION for Summary Judgment <i>Renewed</i> filed by RYAN BAGWELL. (See Docket Entry <u>61</u> to view document). (znmw) (Entered: 10/27/2017)
11/16/2017	<u>63</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>61</u> Cross MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 11/16/2017)

11/17/2017		MINUTE ORDER granting <u>63</u> Defendant's Motion for Extension of Time. Defendant's reply shall be due by December 5, 2017. No further extensions of this deadline will be granted. Signed by Judge Christopher R. Cooper on 11/17/2017. (lccrc2) Modified on 11/17/2017 (zlsj). (Entered: 11/17/2017)
11/21/2017		Set/Reset Deadlines: Defendant's Reply due by 12/5/2017. (lsj) (Entered: 11/21/2017)
12/05/2017	<u>64</u>	REPLY to opposition to motion re <u>61</u> Cross MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Campbell, Rhonda) (Entered: 12/05/2017)
01/04/2018	<u>65</u>	SURREPLY to re <u>64</u> Reply to opposition to Motion filed by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 01/04/2018)
02/07/2018		MINUTE ORDER directing the parties to appear for a hearing on their pending cross-motions <u>57</u> , <u>61</u> for summary judgment on February 21, 2018 at 10:00 AM in Courtroom 27A. Signed by Judge Christopher R. Cooper on 2/7/2018. (lccrc2) (Entered: 02/07/2018)
02/07/2018		Set/Reset Hearings: Motion Hearing set for 2/21/2018 at 10:00 AM in Courtroom 27A before Judge Christopher R. Cooper. (lsj) (Entered: 02/07/2018)
02/08/2018	<u>66</u>	MOTION to Modify <i>Hearing to a telephonic hearing</i> by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 02/08/2018)
02/09/2018		NOTICE OF ERROR re <u>66</u> Motion to Modify; emailed to rhonda.campbell@usdoj.gov, cc'd 5 associated attorneys -- The PDF file you docketed contained errors: 1. Title on document does not match motion being filed; Please file an errata with a corrected title. (znmw,) (Entered: 02/09/2018)
02/11/2018	<u>67</u>	ERRATA <i>Motion to Convert Hearing to Telephonic Hearing</i> by U.S. DEPARTMENT OF JUSTICE <u>66</u> MOTION to Modify <i>Hearing to a telephonic hearing</i> filed by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 02/11/2018)
02/13/2018		MINUTE ORDER denying <u>66</u> Defendant's Motion to Modify Hearing to a Telephonic Hearing. The Court will deny Defendant's motion. Instead, the Court will vacate the current hearing set for February 21, 2018. The parties are instead directed to appear for a hearing on their pending cross-motions <u>57</u> , <u>61</u> for summary judgment on February 28, 2018 at 11:00 AM in Courtroom 27A. Signed by Judge Christopher R. Cooper on 2/13/2018. (lccrc2) (Entered: 02/13/2018)
02/13/2018		Set/Reset Hearings: Motions Hearing set for 2/28/2018 at 11:00 AM in Courtroom 27A before Judge Christopher R. Cooper. (lsj) (Entered: 02/13/2018)
02/28/2018		Minute Entry for Motion Hearing held before Judge Christopher R. Cooper on 2/28/2018. Oral arguments submitted on Plaintiff's Cross Motion <u>61</u> for Summary Judgment and Defendant's Motion <u>57</u> for Summary Judgment <i>Renewed</i> . Motions taken under advisement; forthcoming Order. Court Reporter Cathryn Jones. (lsj) (Entered: 02/28/2018)
03/05/2018		MINUTE ORDER granting <u>55</u> Defendant's Sealed Motion for Leave to File Document Under Seal. Signed by Judge Christopher R. Cooper on 3/5/2018. (lccrc2) (Entered: 03/05/2018)
03/05/2018	<u>68</u>	SEALED DOCUMENT (EXHBITS 3–5) filed by U.S. DEPARTMENT OF JUSTICE. re Order on Sealed Motion for Leave to File Document Under Seal. (This document is SEALED and only available to authorized persons.)(ztd) (Entered: 03/08/2018)
03/14/2018	<u>69</u>	NOTICE to the Court by U.S. DEPARTMENT OF JUSTICE re Motion Hearing, (Campbell, Rhonda) (Entered: 03/14/2018)
03/22/2018	<u>70</u>	ORDER granting in part and denying in part <u>57</u> Defendant's Motion for Summary Judgment and <u>61</u> Plaintiff's Motion for Summary Judgment. For the reasons stated in the accompanying Memorandum Opinion, it is ORDERED that Defendant's Motion for Summary Judgment is granted in part and denied in part and that Plaintiff's Motion for Summary Judgment is granted in part and denied in part. It is further ORDERED that the parties are to meet and confer regarding search terms for a further search of the U.S. Attorney's Office email system by April 5, 2018. If the parties cannot agree on

		search terms, they shall file proposed search terms by April 12, 2018. See full Order for details. Signed by Judge Christopher R. Cooper on 3/22/2018. (lccrc2) (Entered: 03/22/2018)
03/22/2018	<u>71</u>	MEMORANDUM OPINION re <u>70</u> Order granting in part and denying in part Defendant's Motion for Summary Judgment and Plaintiff's Motion for Summary Judgment. Signed by Judge Christopher R. Cooper on 3/22/2018. (lccrc2) (Entered: 03/22/2018)
03/22/2018		Set/Reset Deadlines: Attorney Meet and Confer by 4/5/2018. Tentative proposed search term due by 4/12/2018. (lsj) (Entered: 03/22/2018)
03/23/2018		MINUTE ORDER: To aid in the Court's resolution of <u>58</u> , 59 the parties' September 5, 2017 joint status reports, the Court directs the defendant to file a status report by March 30, 2018 indicating the status of any production of the set of inadvertently non-produced records addressed in the September 2017 status reports. Signed by Judge Christopher R. Cooper on 3/23/2018. (lccrc2) (Entered: 03/23/2018)
03/30/2018	<u>72</u>	STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 03/30/2018)
04/04/2018		AMENDED MINUTE ORDER: The parties are to appear for a Telephone Conference set for 4/17/2018 at 2:00 PM in Chambers before Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 4/4/18. (lsj) Modified on 4/4/2018 (zlsj). (Entered: 04/04/2018)
04/17/2018		Minute Entry for Telephone Conference held before Judge Christopher R. Cooper on 4/17/2018. Forthcoming Order. (Court Reporter: Lisa Moreira) (lsj) (Entered: 04/17/2018)
04/17/2018		MINUTE ORDER: The parties are directed to file a joint status report by April 23, 2018 that addresses (1) the status of the parties' discussions regarding search terms for the remand email search and (2) a proposal for a rolling production schedule for the inadvertently overlooked records. Signed by Judge Christopher R. Cooper on 4/17/2018. (lccrc2) (Entered: 04/17/2018)
04/18/2018		Set/Reset Deadlines: Joint Status Report due by 4/23/2018 (lsj) (Entered: 04/18/2018)
04/23/2018	<u>74</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 04/23/2018)
04/25/2018		MINUTE ORDER directing the Clerk's office to seal ECF No. 73 and ECF No. 59. Signed by Judge Christopher R. Cooper on 4/25/2018. (lccrc2) (Entered: 04/25/2018)
04/25/2018		<p>MINUTE ORDER: In light of <u>74</u> the parties' April 23, 2018 joint status report and the parties' previous status reports, the further search and production in this case shall proceed as follows.</p> <p>First, with respect to the remand email search, the parties have agreed to an additional search of the emails for the following terms: Second Mile, Mustokoff, Baldwin, Raykovitz, Genovese, and Courtney. See ECF No. 74, at 2. While Plaintiff requests that Defendant conduct further searches with additional terms, the Court concludes that no further terms are needed than those the Defendant has agreed to use. In light of the expanded searches that Defendant has agreed to conduct, including the search it has already conducted using the terms "Penn State" and "PSU," the Court's concerns at summary judgment have been addressed. Ultimately, Defendant's search need only be reasonably calculated to find responsive documents, not guaranteed to find every single responsive document. See, e.g., SafeCard Servs., Inc. v. SEC, 926 F.2d 1197, 1201 (D.C. Cir. 1991) (an agency need only show that its search "was reasonably calculated to discover the requested documents, not whether it actually uncovered every document"). The Court finds that together the search terms already used and those Defendant has agreed to use result in a sufficiently broad search that is reasonably calculated to find the requested documents. Defendant shall complete its remand searches of the emails using the agreed-upon search terms by May 25, 2018. The parties shall file a joint status report proposing a schedule for any production from the remand email search by June 1, 2018.</p>

		<p>Second, with respect to Defendant's concerns regarding victims' identities, the Court has sealed ECF Nos. 73 and 59. The parties are directed to file public versions of these documents with the necessary redactions. The parties should notify the Court of any additional documents that need to be similarly treated.</p> <p>Third, with respect to the inadvertently overlooked documents, the following production schedule shall apply: Defendant shall produce all responsive, non-exempt records by April 25, 2019. It shall make rolling productions to Plaintiff every 60 days, beginning June 25, 2018, and shall place the first priority for its review and productions on the first three categories of documents listed numerically on page 7 of <u>74</u> the parties' April 23, 2018 status report. The parties shall file joint status reports every 60 days updating the Court on the status of production, with the first such report due by July 25, 2018. Signed by Judge Christopher R. Cooper on 4/25/2018. (lccrc2) (Entered: 04/25/2018)</p>
04/25/2018		Set/Reset Deadlines: Status Report due by 7/25/2018 (lsj) (Entered: 04/25/2018)
05/02/2018	<u>75</u>	NOTICE to the Court by U.S. DEPARTMENT OF JUSTICE re Order,,,,,,,,,, (Attachments: # <u>1</u> Exhibit ECF No. 59 (Redacted), # <u>2</u> Exhibit ECF No. 73 (Redacted))(Campbell, Rhonda) (Entered: 05/02/2018)
06/01/2018	<u>76</u>	Joint STATUS REPORT by RYAN BAGWELL. (BAGWELL, RYAN) (Entered: 06/01/2018)
06/15/2018		MINUTE ORDER: Defendants are directed to clarify by June 19, 2018 whether their reference to "April 2021" on page one of <u>76</u> the parties' June 1, 2018 joint status report is correct or whether the date was intended to be "April 2019," when the production of the "inadvertently overlooked" documents is to be completed pursuant to the Court's April 25, 2018 Minute Order. Signed by Judge Christopher R. Cooper on 6/15/2018. (lccrc2) (Entered: 06/15/2018)
06/26/2018	<u>77</u>	MOTION for Briefing Schedule by RYAN BAGWELL (Attachments: # <u>1</u> Exhibit A)(BAGWELL, RYAN) (Entered: 06/26/2018)
07/03/2018	<u>78</u>	NOTICE to the Court by U.S. DEPARTMENT OF JUSTICE re Order, (Campbell, Rhonda) (Entered: 07/03/2018)
07/09/2018		MINUTE ORDER: The parties are to appear for a status conference at 11:30 a.m. on July 16, 2018 in Courtroom 27A. Signed by Judge Christopher R. Cooper on 7/9/2018. (lccrc2) (Entered: 07/09/2018)
07/09/2018		Set/Reset Hearings: Status Conference set for 7/16/2018 at 11:30 AM in Courtroom 27A before Judge Christopher R. Cooper. (lsj) (Entered: 07/09/2018)
07/16/2018		Minute Entry for Status Conference held before Judge Christopher R. Cooper on 7/16/2018. Forthcoming Order. (Court Reporter: Lisa Moreira) (lsj) (Entered: 07/16/2018)
07/16/2018		MINUTE ORDER: As stated in the Court's April 25, 2018 Minute Order, Defendant is to finish production of the inadvertently overlooked documents by April 25, 2019. Once Defendant has finished production of the inadvertently overlooked documents, it shall begin production of the remand search documents. Defendant shall make rolling productions of the remand search documents to Plaintiff every 60 days, beginning June 26, 2019. The parties shall continue to file joint status reports every 60 days updating the Court on the status of production. Defendant shall finish production of the remand search documents by April 26, 2020. The Court denies <u>77</u> Plaintiff's motion for a briefing schedule and will hold off on summary judgment briefing until all remaining production is complete. Signed by Judge Christopher R. Cooper on 7/16/2018. (lccrc2) (Entered: 07/16/2018)
07/17/2018		Set/Reset Deadlines: Production of inadvertent overlooked documents due by 4/25/2019. Initial Disclosure of rolling production of remand search documents due by 6/26/2019. Conclusion of production of remand search documents due by 4/26/2020. (lsj) (Entered: 07/17/2018)
07/25/2018	<u>79</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 07/25/2018)

09/25/2018	<u>80</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 09/25/2018)
11/23/2018	<u>81</u>	Joint MOTION for Extension of Time to <i>file the Joint Status Report</i> by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 11/23/2018)
11/29/2018	<u>82</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 11/29/2018)
11/29/2018		MINUTE ORDER granting <u>81</u> Motion for Extension of Time to File Joint Status Report. The parties shall file their joint status report on November 29, 2018. Signed by Judge Christopher R. Cooper on 11/29/2018. (lccrc1) (Entered: 11/29/2018)
11/29/2018		Set/Reset Deadlines: Joint Status Report due by 11/29/2018 (lsj) (Entered: 11/29/2018)
12/21/2018	<u>83</u>	Unopposed MOTION for Extension of Time to by U.S. DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 12/21/2018)
12/24/2018		MINUTE ORDER granting <u>83</u> Motion for Extension of Time. Defendant shall provide its next response to Plaintiff by January 25, 2019, and the parties shall file their next joint status report by January 26, 2019. Signed by Judge Christopher R. Cooper on 12/24/2018. (lccrc1) (Entered: 12/24/2018)
12/26/2018		Set/Reset Deadlines: Joint Status Report due by 1/26/2019 (lsj) (Entered: 12/26/2018)
01/22/2019	<u>84</u>	Consent MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/22/2019)
01/23/2019		MINUTE ORDER granting <u>84</u> Motion to Stay. All deadlines are hereby stayed. Defendant shall notify the Court when necessary appropriations are renewed. Signed by Judge Christopher R. Cooper on 1/23/2019. (lccrc1) (Entered: 01/23/2019)